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## MEMO ENDORSED

October 12, 2007

**BY FACSIMILE TRANSMISSION (212) 805-6724**

The Honorable Frank Maas  
United States Magistrate Judge  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, New York 10007-1581

*The conf is adjourned to  
11/16/07 at 2 PM.  
Jellman, USMJ,  
10/12/07*

Re: Mendez v. OppenheimerFunds, Inc., No. 07-Civ-6058 (RJH)(FM)

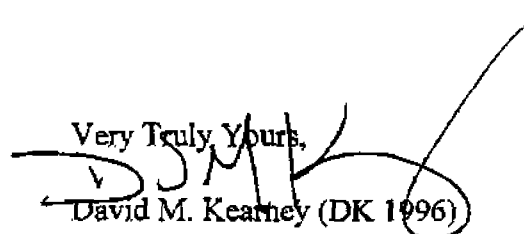
Dear Judge Maas:

Please be advised that this office represents Plaintiff Jesus Mendez ("Mendez") in the above-referenced matter. I write this letter on behalf of all parties to this action, including Defendants OppenheimerFunds, Inc. ("OFI") and Keith Spencer ("Spencer"), to respectfully request an adjournment of the settlement conference currently scheduled for October 26, 2007.

An adjournment is requested due to scheduling conflicts. I will be out of the country on October 26. Counsel for Defendants will also be traveling on October 26 and the client representative who will attend for Defendants is likewise not available on that date. Pursuant to Paragraph 8 of the Procedures Applicable to Cases Referred for Settlement to Magistrate Judge Frank Maas, the parties propose that the conference be adjourned to any day during the week of November 12, or to November 19 or 20. Alternatively, if none of those dates are convenient for your Honor, the parties could if necessary change certain current commitments and make themselves available on November 6, 7, 8, or 9. The parties have not requested a previous adjournment.

Plaintiff Jesus Mendez will attend the conference. The client representative who will attend for Defendants is OFI's Vice President and Associate General Counsel, Melissa Weiss, who will have full settlement authority on behalf of both Defendants. The parties agree that there is no reason for Spencer, an employee of OFI, to attend the conference and accordingly he will not attend unless the Court otherwise directs.

Thank you for Your Honor's time and attention in this regard.

Very Truly Yours,  
  
David M. Kearney (DK 1996)

cc: Alan I. Raylesberg, Esq. (by fax and post)  
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